



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79380

Alexander EPPLÉ, et al.

Appln. No.: 10/772,310

Group Art Unit: 2873

Confirmation No.: 7421

Examiner: Deborah RAIZEN

Filed: February 06, 2004

For: CATADIOPTIC REDUCTION LENS

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 10, 2005

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TERMINAL DISCLAIMER

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Sir:

The undersigned, on behalf of the petitioner, CARL ZEISS SMT AG, represents that the petitioner, CARL ZEISS SMT AG is the owner of the entire right, title and interest of U.S.

Application No. 10/152,290, filed on May 22, 2002 for CATADIOPTIC REDUCTION LENS by virtue of an Assignment from all of the inventors thereof executed on June 3, 2002 and July 3, 2002, respectively, recorded on August 20, 2002 at Reel 013208, Frame 0766, now issued as U.S. Patent 6,717,746 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/772,310 by virtue of an Assignment from all of the inventors thereof executed on June 3, 2002 and July 3, 2002, respectively, recorded on August 20, 2002, at Reel 013208, Frame 0766, filed in parent application Serial No. 10/152,290 (now U.S. Patent No. 6,717,746).

Terminal Disclaimer
U.S. Patent Application Ser. No.: 10/772,310

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/772,310 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,717,746, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/772,310 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,717,746 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/772,310, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/772,310 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/772,310 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,717,746 in the event that U.S. Patent 6,717,746 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 10/772,310

The undersigned is an attorney of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. F. Lehnig", is written over a horizontal line.

George F. Lehnig

Registration No. 36,359

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